

Message

From: McKim, Krista [mckim.krista@epa.gov]
Sent: 1/22/2016 5:05:47 PM
To: Pierard, Kevin [pierard.kevin@epa.gov]; DelRosario, Ross [delrosario.rosauro@epa.gov]; Ireland, Scott [ireland.scott@epa.gov]; Wester, Barbara [wester.barbara@epa.gov]; Colletti, John [colletti.john@epa.gov]; Pepin, Rob [pepin.robert@epa.gov]; Compton, Mark [compton.mark@epa.gov]; Marko, Katharine [Marko.Katharine@epa.gov]; Proto, Paul [proto.paul@epa.gov]; Hudiburgh, Gary [Hudiburgh.Gary@epa.gov]; Horwitz, Sylvia [Horwitz.Sylvia@epa.gov]; Wilson, Scott [Wilson.Js@epa.gov]; Steinbauer, Gary [steinbauer.gary@epa.gov]
Subject: MPCA's minntac permit reissuance statement delivered to Tribes yesterday

All:

I just received a call from Nancy Schuldt, environmental staff from the Fond du Lac band in Minnesota. She attended the meeting yesterday where MPCA updated the Tribes regarding permit status for mining permits in MN. The Tribes asked for an update on the Minntac tailings basin permit reissuance. Here is the gist of what she heard:

- That permit reissuance will be delayed until the new wild rice standard is finalized, planned for 2018
- The reason for the delay is due to the state statute restricting MPCA's authority to implement the wild rice standard,
- MPCA's belief that there are parties who would file lawsuits if the existing standard is implemented
- US Steel's assertion that the receiving waters are not wild rice waters (we talked about this a little bit... Nancy understands that the twin lakes are not designated as wild rice waters, but believes that wild rice is among existing uses for those waters)
- MPCA stated that Region 5 was aware of MPCA's decision to delay reissuance to 2018

Tribal staff then asked about the status of the joint priority we have in place with MPCA to modernize mining permits. MPCA stated that the document still exists. Tribal staff probed, but MPCA did not divulge that indeed they sent us a status update on that joint priority about 2 weeks ago. I told her about the update and she plans to request the document from MPCA.

The tribal staff caucused after the meeting and are planning to request a meeting on the minntac permit with EPA and MPCA. The request will probably go to Tinka.

Nancy plans to write up her notes from the meeting and send them to me.

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